



Monterey County

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: RES 21-017

January 26, 2021

Introduced: 1/19/2021

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Resolution

Adopt a Resolution to direct the Registrar of Voters to:

- a. Cancel the East Garrison Community Services District (EGCSD) special election scheduled on May 4, 2021, and
- b. Remove the posting for the EGCSD special election and take other actions necessary to effectuate the cancellation of the election.

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution to direct the Registrar of Voters to:

- a. Cancel the East Garrison Community Services District (EGCSD) special election scheduled on May 4, 2021, and
- b. Remove the posting of the EGCSD special election and take other actions necessary to effectuate the cancellation of the election.

SUMMARY/DISCUSSION:

On September 22, 2020, the Board of Supervisors adopted a resolution directing the Registrar of Voters to conduct a special election for East Garrison Community Services District (EGCSD) on May 4, 2021 (Attachment A-Board Resolution No. 20-305). Subsequently, County Counsel determined that the scheduled May special election would create legal inconsistencies with structuring new EGCSD district board terms. To avoid any inconsistencies, Public Works, Facilities & Parks staff recommends that the Board of Supervisors adopt a resolution to cancel the EGCSD special election scheduled for May 4, 2021. Attachment B-EGCSD Discussion provides detail on the formation of EGCSD, applicable Community Services District law (CSDL) regarding bylaws, regulating elections establishing independence, and structuring community services district boards. Additionally, the Discussion highlights pertinent Board of Supervisors resolutions pertaining to EGCSD adopted to date.

The County requested the special election and may cancel its request; therefore, the Elections Department is not legally mandated to hold this election. Staff will prepare a report and draft resolution for future Board consideration to conduct an EGCSD special election on November 2, 2021. That date is an established election date per Elections Code Section 1000, so that terms of newly elected district board members, if independence is chosen, shall commence on the first Friday of December in accordance with CSDL requirements. The draft resolution for the rescheduled special election will include direction for the Elections Department to use ballot language consistent with the requirement for staggered district board terms.

The Monterey County Board of Supervisors is asked to adopt a resolution (Attachment C-Draft Resolution) directing the Monterey County Registrar of Voters to take all steps necessary to cancel the special election for EGCSO on May 4, 2021, in accordance with law and as delineated in the EGCSO BOD resolution (Attachment D-1/21/21 EGCSO BOD Resolution).

OTHER AGENCY INVOLVEMENT:

This item was brought to the January 13, 2021 EGCSO Advisory Committee. The Committee expressed that rescheduling the special election would provide candidates additional time to write thorough candidate statements and become adequately educated to submit for district board candidacy.

The EGCSO Advisory Committee Chair and Supervisor Wendy Root Askew's office concur with the proposed cancellation of the EGCSO May 4, 2021 special election. The County Administrative Office also supports the cancellation.

Concurrently today, the EGCSO BOD approved a resolution recommending the Monterey County Board of Supervisors adopt a resolution in support of directing the Monterey County Registrar of Voters to cancel the special election on May 4, 2021 and to remove the posting of the special election and take other actions necessary to effectuate the cancellation of the election.

FINANCING:

EGCSO will reimburse the Elections Department for all costs incurred preparing for the May 4, 2021 special election. Sufficient funding is budgeted in the Fiscal Year 2020-21 Adopted Budget for EGCSO, Fund 181, Appropriation Unit RMA106, to reimburse staff costs and County Elections Department costs.

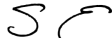
BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action complies with the Board of Supervisors Strategic Initiatives for Economic Development to enhance the well-being and prosperity of Monterey County residents and Administration by providing accountability and transparency with regards to the requirements outlined in the CSDL, Section 61042.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Approved by: Shawne E. Ellerbee, Assistant Director of Public Works, Facilities, & Parks 

Approved by: Randell Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities, & Parks

Attachments:

Attachment A-BOS Adopted Resolution No. 20-305

Attachment B-EGCSD Discussion

Attachment C-Draft Resolution

Attachment D-1/26/21 EGCSD BOD Resolution

(Attachments are on file with the Clerk of the Board)